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INVESTOR IN PEOPLE

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Your Reference: IP920000380GB1
Application No: GB 0106095.3

31 October 2003

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Dear Sirs

Patents Act 1977: Examination Report under Section 18(3)

Latest date for reply:

30 April 2004

I enclose two copies of my examination report.

By the above date you should either file amendments to meet the objections in the enclosed report or make observations on them. If you do not, the application may be refused.

You should note that the normal unexpended period allowed for complying fully with the requirements of the Act will end on 1 November 2004, that is 12 months after the date of this letter.

Yours faithfully

Russell Maurice
Examiner

Use of E-mail: Please note that e-mail should be used for correspondence only.



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Your ref: IP920000380GB1
Application No: GB 0106095.3
Applicant: International Business Machines Corp.
Latest date for reply: 30 April 2004

Examiner: Russell Maurice
Tel: 01633 813729
Date of report: 31 October 2003
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Patents Act 1977 Examination Report under Section 18(3)

Plurality of invention

1. Your claims define a number of separate inventions not forming a single inventive concept. The inventions are:

- i. that of independent claims 1, 6, 17, 24, 26 & 28 (whose common matter is essentially that of claims 17, 26 & 28, i.e. aspects of the process execution terminal);
- ii. that of independent claims 11, 25 & 27 (whose common subject matter relates to aspects of the server);
- iii. that of independent claim 21 (relating to aspects of the communication terminal).

2. You will need to amend your claims, so that they relate to only one invention or inventive concept. You will also need to make consequential amendments to the description. You may wish to consider filing divisional applications. Any such applications should normally be filed no later than 3 months before the expiry of the period for putting the present application in order.

Scope of search

3. In accordance with Section 17(6), only the first of these inventions has been searched. The other invention can be searched if you wish. In this case you will have to file a further Form 9/77.

What this report covers

4. I have not been able to consider the novelty or obviousness of the unsearched inventions. Full examination with regard to clarity and support of the claims relating to the unsearched inventions has been deferred as meeting the above plurality objection will necessitate substantial revision of the specification.

Novelty

5. The invention as defined in claims 1, 2, 4, 17, 24, 26 & 28 is not new because it has already been disclosed in each of the following documents:

GB 2352861 A (International Computers Ltd), see whole document (against claims 1, 2,



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[Examination Report contd.]

17, 24, 26 & 28).

GB 2345175 A (Gardner), see eg page 21 line 2 - page 22 line 13 (against claim 17, 20, 26 & 28).

EP 1145200 A1 the equivalent to WO 01/31594 A1 as cited on your search report (Swisscom Mobile), see abstract and Fig 1 (against claims 17, 26 & 28)

WO 98/30985 A2 (Aerotel Ltd), see whole document (against claim 1, 2, 4, 17, 24, 26 & 28).

All the above document with the exception of WO 98/30985 fail within S2(3) of the Act

6. The independent claims 17, 26 & 28 are very broad and, if the customer 'communications terminal' can be interpreted as a network-connected computer, for performing e.g. internet-based transactions, would seem to be anticipated by the well-known type of prior art exemplified by GB 2345175, in which a customer account number and verification code are sent to a merchant, which passes them to a clearing computer, which in turn must return an authorisation code to the merchant to be able to proceed with the transaction. In EP 1145200 (WO 01/31594), a mobile phone is used to transfer customer ID and payment request information to a payment terminal which is connected via a terminal which is connected via a network to a clearing house 4 (cf list of numerals, page 15).

7. The independent claims 1, 6 and 24 require the customer identification information to have been previously sent by a 2nd processor to the customer communication terminal. This appears to be shown by GB 2352861 and WO 98/30985: GB 2352861 addresses the same problem as the present application, in that it enables credit card payments of goods without the merchant needing to receive the customer card number. The described embodiment relates to Internet shopping and a bank stores the customer account details, and, on receipt of a request from the customer to make a transaction, generates an identifier to the merchant which sends it to the customer terminal. The customer then provides the identifier to the merchant which sends it to the bank to process the transaction and send information about the payment to the merchant, which can then act accordingly. WO 98/30985 is somewhat similar, with the customer establishing an account with a Money Deposit and Transfer Institution (MDTI) which provides the customer with a ("2nd") PIN in respect of a particular transaction between the customer and the vendor (-again, over the internet). The customer sends this PIN to the vendor from the MDTI, so that the vendor can proceed with the transaction.

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PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/819459

Filing Date Mar 28, 2004

First Named Inventor Ueno et al.

Group Art Unit 2161

Examiner Name Unknown

Total Number of Pages in This Submission

Attorney Docket Number JP920000380US1

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ENCLOSURES (check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name
 Spencer K. Warnick - Reg. No. 40398
 Hoffman, Warnick & D'Alessandro LLC

Signature

Date

November 5, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date:

November 5, 2003

Typed or printed name Dorothea Rubbone

Signature

Date

November 5, 2003